

SEALED

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

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IN THE MATTER OF)
ADMINISTRATIVE SUBPOENAS TO)
BANK OF THE WEST AND WHITE)
STATE BANK)
UNITED STATES SECURITIES AND)
EXCHANGE COMMISSION)
100 F STREET, N.E.)
WASHINGTON, D.C. 20549)

BY _____ DEPUTY

2:12-cv-01575-MMD-PAL

ORDER DELAYING NOTICE

(FILED UNDER SEAL)

Upon consideration of the Application of the United States Securities and Exchange Commission for an Order pursuant to Section 21(h)(4) of the Securities Exchange Act of 1934 ("Exchange Act") [15 U.S.C. §78u(h)(4)] showing, and it appearing to the Court, that:

1. The Commission seeks access to financial records from Bank of the West and White State Bank pursuant to the attached subpoenas issued in conformity with the requirements of Section 19(c) [which was designated as 19(b) prior to 2002] of the Securities Act of 1933 [15 U.S.C. §77s(c)] and Section 21(b) of the Exchange Act [15 U.S.C. §78u(b)]; and

2. The Commission has reason to believe that delay in obtaining access to such financial records, or providing the required customer notice, will result in the "improper conversion of investor assets." Section 21(h)(2)(A)(iv) of the Exchange Act [15 U.S.C. § 78u(h)(2)(A)(iv)]. In addition the Commission has reason to believe that the acts, practices, or course of conduct under investigation involve "the dissemination of materially false or misleading information concerning any security . . . or a financial loss to investors or other persons protected under the

securities laws which remains substantially uncompensated.” Section 21(h)(2)(C) of the Exchange Act [15 U.S.C. § 78u(h)(2)(C)].

IT IS HEREBY ORDERED that the notification, to the extent required, of customers of Bank of the West and White State Bank by the Commission that copies of, or the information contained in, such records have been sought or obtained pursuant to the attached subpoenas may be delayed for no more than ninety (90) days from the date this order, or for such further period as subsequently may be ordered by the Court; and

IT IS HEREBY FURTHER ORDERED that Bank of the West and White State Bank, and their officers, employees and agents are prohibited from disclosing that copies of, or information contained in, such records have been obtained or that a request for such records has been made.

Dated: September 6, 2012


UNITED STATES DISTRICT JUDGE